

# ***SCAQMD SPECIAL MEETING IN RIVERSIDE***

**MEETING, OCTOBER 7, 2016**

A meeting of the South Coast Air Quality Management District Board will be held **at 9:00 a.m., in the Grand Parisian Ballroom at The Mission Inn Hotel and Spa, 3649 Mission Inn Avenue, Riverside, California.**

The agenda and documents in the agenda packet will be made available upon request in appropriate alternative formats to assist persons with a disability. Disability-related accommodations will also be made available to allow participation in the Board meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please telephone the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m. Tuesday through Friday.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765.

## **CALL TO ORDER**

- Pledge of Allegiance
- Opening Comments: William A. Burke, Ed.D., Chair  
Other Board Members  
Wayne Nastri, Acting Executive Officer
- Presentation of Retirement Award to Sandra McDaniel

**Burke**

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Staff/Phone (909) 396-


## **CONSENT CALENDAR (Items 1 through 23)**

Note: Consent Calendar items held for discussion will be moved to Item No. 24

1. Approve Minutes of September 2, 2016 Board Meeting **McDaniel/2500**
2. Set Public Hearing November 4, 2016 to Consider Amendments and/or Adoption to SCAQMD Rules and Regulations **Nastri/3131**
  - Amend Rule 1325 – Federal PM2.5 New Source Review Program and Amend Rule 1302 - Definitions **Nakamura/3105**

Amendments to Rule 1325 are proposed to establish appropriate major stationary source thresholds for direct PM2.5 and PM2.5 precursors, including VOC and ammonia, in order to align with the recent reclassification of the South Coast Basin from a “moderate” PM2.5 nonattainment area to a “serious” nonattainment area and with U.S. EPA’s Fine Particulate Matter National Ambient Air Quality Standards implementation rule. Amendments to Rule 1302 are proposed to modify major source SOx threshold definitions and an editorial revision to improve rule clarity and consistency. The proposed amendments are intended to facilitate SIP approval of the regulations. (Reviewed: Stationary Source Committee, September 16, 2016)


**Budget/Fiscal Impact**

3. Recognize Revenue, Transfer Funds, and Execute Contract to Develop and Demonstrate Fuel Cell Heavy-Duty Truck  **Miyasato/3249**

On December 5, 2014, the Board recognized revenue from the DOE for the Zero Emission Cargo Transport project to develop and demonstrate zero emission drayage trucks. International Rectifier, one of the technology providers, has decided not to continue with the project, and staff and DOE have invited Hydrogenics USA Inc. to join the project and develop a fuel cell range-extended drayage truck. These actions are to recognize revenue from the Ports' Technology Advancement Program (TAP) up to \$283,495, transfer \$283,495 as a temporary loan from the Clean Fuels Fund to the Advanced Technology Goods Movement Fund, and execute a contract with Hydrogenics USA Inc. to develop a fuel cell range-extended drayage truck in an amount not to exceed \$1,109,279, comprising the \$283,495 from the Ports' TAP and \$825,784 from DOE funds previously awarded to International Rectifier. (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

4. Transfer and Appropriate Funds, Amend Contract to Enhance Website Application Process for Enhanced Fleet Modernization Program, and Reimburse Administrative Costs **Miyasato/3249**

Last month, the Board approved continuation of the AB 118 Enhanced Fleet Modernization Program (EFMP) and EFMP Plus-Up for FY 2016-17. Staff proposes to streamline its implementation through an enhanced website application process, which will allow applicants to track their application status. Funds need to be transferred to the General Fund for this effort and to cover other administrative and outreach efforts associated with EFMP implementation. Thus, these actions are to: 1) transfer and appropriate \$175,000 from the HEROS II Special Revenue Fund (56) into Information Management's FY 2016-17 Budget; 2) amend a contract with Varsun eTechnologies to develop an in-house web-based application process for the EFMP in an amount not to exceed \$150,000 and provide EFMP website maintenance for \$25,000; 3) reimburse the General Fund up to \$10,000 from the HEROS II Special Revenue Fund (56) for administrative costs to operate a communications/call-in center; and 4) transfer and appropriate \$70,000 from the HEROS II Special Revenue Fund (56) to Science & Technology Advancement's FY 2016-17 or FY 2017-18 Budget for EFMP marketing and outreach efforts. (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

5. Recognize Funds and Amend Contract for Development, Integration and Demonstration of Ultra-Low Emission Natural Gas Engine for On-Road Heavy-Duty Vehicles 


Miyasato/3249

On November 6, 2015, the Board awarded a contract to Cummins Westport Inc. (CWI) to cofund the development of an 11.9-liter heavy-duty natural gas engine that is 90% cleaner than the current on-road heavy-duty NOx exhaust emissions standard. This award included \$1 million in cost-share funding from the CEC, excluding funding CEC had intended to award directly to CWI. Subsequently, CEC has indicated they will award all project cost-share as pass-through funding to SCAQMD for a total of \$2,000,000. These actions are to recognize funds up to an additional \$1,000,000 into the Clean Fuels Fund (31) and amend the contract with CWI to increase the contract by an additional \$1,000,000 from the Clean Fuels Fund (31). (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

6. Recognize Revenue and Appropriate Funds to Engage, Educate, and Empower California Communities on Use and Applications of “Low-Cost” Air Monitoring Sensors


Miyasato/3249

The U.S. EPA awarded SCAQMD a nationwide competitive Science to Achieve Results (STAR) research grant to engage, educate and empower California communities on the use and application of “low-cost” air monitoring sensors. SCAQMD staff will work with Sonoma Technology, Inc., researchers at UCLA and other air pollution control districts to develop and implement methodologies and resources for accomplishing the specific objectives of this project. This action is to recognize up to \$749,820 in revenue into the General Fund and appropriate up to \$670,500 in Science & Technology Advancement's FY 2016-17, FY 2017-18 and FY 2018-19 Budgets to support this work. (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

7. Adopt Resolution Recognizing Funds and Accepting Terms and Conditions for FY 2015-16 Carl Moyer State Reserve Fund Award, and Execute Contracts for FY 2015-16 “Year 18” Carl Moyer Program and SOON Provision 

Minassian/2641

As agreed in a May 1, 2013 MOU between CAPCOA and CARB, the SCAQMD is to implement the FY 2015-16 Carl Moyer Multidistrict Program. This action is to adopt a resolution recognizing \$3 million in revenue from CARB's Carl Moyer State Reserve Fund with its terms and conditions for FY 2015-16. On June 1, 2016, the Program Announcements issued for the “Year 18” Carl Moyer Program and SOON Provision closed. These actions are to execute contracts for the “Year 18” Carl Moyer Program and SOON Provision in an amount not to exceed \$31,985,690, comprised of \$25,302,812 from the SB 1107 Fund (32), \$2,812,500 from the SB 1107 Multidistrict Fund (32), \$3,326,453 from the AB 923 Fund (80), and \$543,925 in accrued interest from the Carl Moyer Program Fund (32). Finally, these actions are to execute contracts from a backup project list as turnback funds become available and to transfer all unallocated AB 923 funds from the Carl Moyer Fund (32) to the Carl Moyer Program AB 923 Special Revenue Fund (80). (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

8. Recognize Funds and Amend Award for Locomotive Replacement Project  **Minassian/2641**

In June 2016, U.S. EPA notified SCAQMD that an award had been approved under the FY 2015-16 Diesel Emissions Reduction Act (DERA) to replace an older diesel locomotive with a new Tier 4 diesel locomotive. On July 8, 2016, the Board awarded a contract to Metropolitan Stevedore Company under the Proposition 1B–Goods Movement Program for the diesel locomotive replacement project. Subsequently, CARB approved additional funds under the Proposition 1B–Goods Movement Program for the replacement project. This action is to recognize up to \$523,809 from U.S. EPA DERA into the Advanced Technology, Outreach and Education Fund (17). These actions are to also amend the award to Metropolitan Stevedore Company to increase project funding in an amount not to exceed \$608,400, comprising \$500,000 from the U.S. EPA DERA funds and \$108,400 from Proposition 1B-Goods Movement Program Fund (81), and to reimburse the General Fund for administrative costs up to \$23,809 necessary to implement the DERA grant. (Reviewed: Technology Committee, September 16, 2016; Recommended for Approval)

9. Execute Sole Source Contract for Maintenance and Service Agreement for SCAQMD Headquarters' Energy Management System **O'Kelly/2828**

SCAQMD currently contracts with Siemens Building Technologies, Inc. to maintain SCAQMD headquarters' energy management system, consisting of software and hardware to operate the building's heating, ventilation and air conditioning. This action is to enter into a new agreement for these services, to continue through June 30, 2019. Funding has been included in the FY 2016-17 Budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

10. Execute Contract for Biennial Audit of Motor Vehicle Registration Revenues for FYs 2013-14 and 2014-15 **O'Kelly/2828**

Health and Safety Code Section 44244.1 requires any agency receiving fee revenues pursuant to Section 44243 or 44244 to be subject to an audit of each program or project funded at least once every two years. On June 3, 2016, the Board approved the release of an RFP to select an auditor to perform the biennial audit for FYs 2013-14 and 2014-15. The panel that evaluated the proposals was comprised of representatives from the Local Governments, MSRC, and SCAQMD. This action is to award a contract to the firm of Simpson & Simpson, Certified Public Accountants. Local governments, the MSRC and SCAQMD will pay the cost of their own audits in the amounts of \$93,790, \$7,000 and \$4,560 respectively. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

11. Amend Lease Agreement with City of Diamond Bar for Use of SCAQMD Facility **O'Kelly/2828**

On January 1, 2012, SCAQMD executed a facility lease agreement with the City of Diamond Bar to conduct city council meetings and other special meetings at its headquarters facility in Diamond Bar. The agreement will expire on December 31, 2016. This action is to amend the existing lease with the City of Diamond Bar for a 10-year term at an annual lease payment of \$27,153.84 plus, increases of 2-1/2% per year beginning with the second year of this amendment. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

12. Execute Lease and Maintenance Agreement for Printing Equipment and Copiers **O'Kelly/2828**

On June 3, 2016, the Board approved the release of an RFP to solicit lease proposals to replace the Print Shop's black and white printer equipment, the color production printer and walk-up floor copiers. This action is to execute a five-year lease and maintenance agreement with SoCal Office Technologies, a Xerox subsidiary, for a total amount not to exceed \$632,455. Funding has been included in the FY 2016-17 Budget and will be requested in successive fiscal years. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

13. Status of Rule 1118 Mitigation Funds **Wiese/3460**

Staff will provide information to the Board on the status and potential uses of Rule 1118 mitigation funds, and receive direction from the Board on how to proceed. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

14. Appropriate Funds and Authorize Amending/Initiating Contracts with Outside Counsel and Specialized Legal Counsel and Services **Wiese/3460**

Legal is currently being assisted in environmental lawsuits by outside law firms and in other matters requiring specialized legal counsel and services, including ongoing litigation. This action is to appropriate \$100,000 from the Designation for Litigation and Enforcement and \$400,000 from Undesignated Fund Balance to Legal's FY 2016-17 Budget and amend or initiate contracts to expend these funds with prequalified counsel approved by the Board as well as specialized legal counsel and services. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)

15. Approve Amendments to Labor Contracts with Teamsters Local 911 and SCPEA, and to Administrative Code Provisions for Non-Represented Employees, Relating to Health Insurance Premiums **O'Kelly/2828**

SCAQMD management and Teamsters Local 911 and SCPEA, representing the employee bargaining units, have reached agreement on changes to their respective MOUs to address health insurance premium increases effective January 1, 2017. The MOU amendments provide for an additional \$45 per month to be paid directly to the health insurance providers on behalf of each employee. This action is to request Board approval of the MOU amendments. This action is also to approve amendments to the Administrative Code for an additional payment of \$45 per month to the health insurance providers on behalf of each non-represented employee. Sufficient funds are available in the FY 2016-17 Budget. (No Committee Review)

16. Approve Contract Awards and Modification, Affirm Allocation of Funds, and Issue Solicitation Approved by MSRC **Pettis**

As part of their FYs 2016-18 Work Program, the MSRC approved new contracts under the Major Event Center Transportation Program and a sole-source contract for a Regional Active Transportation Partnership Program. As part of their FYs 2014-16 AB 2766 Discretionary Fund Work Program, the MSRC approved new contracts under the Alternative Fuel Infrastructure Program and Near-Zero Natural Gas Engine Incentive Program, as well as the release of a Program Announcement for the development and maintenance of the MSRC website. The MSRC also affirmed their previous allocation of funding for the Enhanced Fleet Modernization Program. At this time the MSRC seeks Board approval of the contract awards and modification and to release the solicitation. (Reviewed: Mobile Source Air Pollution Reduction Review Committee, August 18 and September 15, 2016; Recommended for Approval)

**Items 17 through 23 - Information Only/Receive and File**

17. Legislative and Public Affairs Report **Alatorre/3122**

This report highlights the August 2016 outreach activities of Legislative and Public Affairs, which include: Environmental Justice Update, Community Events/Public Meetings, Business Assistance, and Outreach to Business and Federal, State, and Local Government. (No Committee Review)

18. Hearing Board Report **Camarena/2500**

This reports the actions taken by the Hearing Board during the period of August 1 through August 31, 2016. (No Committee Review)

19. **Civil Filings and Civil Penalties Report** **Wiese/3460**  

This reports the monthly penalties from July 1 through August 30, 2016, and legal actions filed by the General Counsel's Office from July 1 through August 30, 2016. An Index of District Rules is attached with the penalty reports. (Reviewed: Stationary Source Committee, September 16, 2016)
20. **Lead Agency Projects and Environmental Documents Received by SCAQMD** **Nakamura/3105**  

This report provides, for the Board's consideration, a listing of CEQA documents received by the SCAQMD between August 1, 2016 and August 31, 2016, and those projects for which the SCAQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, September 16, 2016)
21. **Rule and Control Measure Forecast** **Fine/2239**  

This report highlights SCAQMD rulemaking activities and public workshops potentially scheduled for the year 2016 and portions of 2017. (No Committee Review)
22. **Report of RFQs Scheduled for Release in October** **O'Kelly/2828**  

This report summarizes the RFQs for budgeted services over \$75,000 scheduled to be released for advertisement for the month of October. (Reviewed: Administrative Committee, September 9, 2016; Recommended for Approval)
23. **Status Report on Major Projects for Information Management Scheduled to Start During First Six Months of FY 2016-17** **Marlia/3148**  

Information Management is responsible for data systems management services in support of all SCAQMD operations. This action is to provide the monthly status report on major automation contracts and projects to be initiated by Information Management during the first six months of FY 2016-17. (No Committee Review)
24. Items Deferred from Consent Calendar



## **BOARD CALENDAR**

- |     |   |                           |                |
|-----|---|---------------------------|----------------|
| 25. | Administrative Committee (Receive & File)                               | Chair: Burke              | Nastri/3131    |
| 26. | Legislative Committee (Receive & File)                                  | Chair: Mitchell           | Alatorre/3122  |
| 27. | Mobile Source Committee (Receive & File)                                | Chair: Parker             | Fine/2239      |
| 28. | Stationary Source Committee (Receive & File)                            | Chair: B. Benoit          | Tisopulos/3123 |
| 29. | Technology Committee (Receive & File)                                   | Chair: J. Benoit          | Miyasato/3249  |
| 30. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Antonovich | Hogo/3184      |
| 31. | California Air Resources Board Monthly Report (Receive & File)          | Board Rep: Mitchell       | McDaniel/2500  |

### **Staff Presentation/Board Discussion**

- |     |  |                |
|-----|--|----------------|
| 32. | AQMP Update ( <i>No Written Material</i> )   | Fine/2239      |
|     | Staff will present an informational update on development of the AQMP, including an overview of comments received, revisions made, and challenges remaining.   |                |
| 33. | Report on Draft Action Plan to Reduce Permit Application Backlog   | Tisopulos/3123 |
|     | Staff has developed an Action Plan to Expediently reduce the permit application backlog accumulated over recent years, while simultaneously ensuring timely permit issuance in the future, improving customer service and transparency and keeping the environment whole. The Action Plan includes a suite of immediate actions and longer-term measures aimed at improving permit processing capacity and efficiency through automation, permit streamlining, training, more active management and supervision, enhanced utilization of staff resources and other operational efficiency improvement measures. This action is to receive and file the Permit Application Backlog Reduction Draft Action Plan. (Reviewed: Stationary Source Committee, September 16, 2016) |                |

## **PUBLIC HEARINGS**

34. Amend BACT Guidelines and Approve Charter for BACT Scientific Review Committee

**Miyasato/3249**

***Staff is recommending that the public hearing on this item be continued to the December 2, 2016 Board Meeting.***

Periodically, staff proposes updates to Parts A and C of the Policy and Procedures of the BACT Guidelines for major and non-major polluting facilities as well as reports new Lowest Achievable Emission Rate and BACT determinations added to Parts B and D for major and non-major polluting facilities. Additionally, for the first time, the BACT Guidelines need to incorporate policy and procedures and determinations for facilities subject to prevention of significant deterioration for greenhouse gases. These actions are to amend the BACT Guidelines to make them consistent with recent changes to SCAQMD rules and regulations as well as state and federal requirements and approve a charter for the BACT Scientific Review Committee. (Reviewed: Stationary Source Committee, September 16, 2016; Recommended for Approval)

35. Amend Rules 307.1, 1401, and 1402 and Approve Draft SCAQMD Public Notification Procedures for Facilities Under Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) and Rule 1402 and Draft SCAQMD Guidelines for Participating in Rule 1402 Voluntary Risk Reduction Program

**Nakamura/3105**

Proposed Amended Rule 1402 includes a voluntary program to allow facilities to implement early risk reduction measures that go beyond the Action Risk threshold in Rule 1402 with an alternative public notification approach. In addition, Proposed Amended Rule 1402 streamlines implementation, and includes provisions for potentially high risk facilities and other amendments to improve clarity. The “Public Notification Procedures for Phase I and II Facilities Under the Air Toxics ‘Hot Spots’ Information and Assessment Act of 1987 (AB 2588)” has been revised and “SCAQMD Guidelines for Participating in the Rule 1402 Voluntary Risk Reduction Program” has been developed. Proposed Amended Rule 307.1 includes a fee category for Voluntary Risk Reduction facilities, a provision for the facility owner or operator to pay for costs associated with public meetings required by Rule 1402 and updates the reference to the most current Prioritization Procedures. Proposed Amended Rules 1401 and 1402 will remove provisions that require staff to report to the Board regarding changes from OEHHHA regarding new or revised toxic air contaminant health values but instead discuss these changes and the potential impacts to permitting and AB 2588 in the AB 2588 Annual Report. This action is to adopt the resolution: 1) Certifying the Final Environmental Assessment for Proposed Amended Rule 307.1 – Alternative Fees for Air Toxics Emissions Inventory, Proposed Amended Rule 1401 – New Source Review of Toxic Air Contaminants, and Proposed Amended Rule 1402 – Control of Toxic Air Contaminants from Existing Sources, SCAQMD Public Notification Procedures for Facilities Under the Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) and Rule 1402, and SCAQMD Guidelines for Participating in the Rule 1402 Voluntary Risk Reduction Program; 2) Determining that Proposed Amended Rule 307.1 is exempt from the California Environmental Quality Act; 3) Amending Rules 307.1, 1401, and 1402; 4) Approving SCAQMD Public Notification Procedures for Facilities Under the Air Toxics “Hot Spots” Information and Assessment Act (AB 2588) and Rule 1402; and 5) Approving SCAQMD Guidelines for Participating in the Rule 1402 Voluntary Risk Reduction Program. (Reviewed: Stationary Source Committee, October 16, 2015 and July 22, 2016)

36. Amend Regulation IX - Standards of Performance for New Stationary Sources

Fine/2239

Amendments to Regulations IX and X are periodically made to incorporate by reference new or amended federal performance standards that have been enacted by U.S. EPA for stationary sources. These standards are currently in effect and enforceable by SCAQMD pursuant to the federal Clean Air Act, regardless of whether SCAQMD incorporates them by reference. The Board has historically adopted NSPS (40 CFR 60) and NESHAPS (40 CFR 61), by reference, into Regulations IX and X, providing stationary sources with a single point of reference for determining which federal and local requirements apply to their specific operations. NSPS actions by U.S. EPA from January 1, 2015 to June 15, 2016 are proposed for incorporation into Regulation IX. Actions by U.S. EPA include promulgation of new performance standards for: (1) additional oil and natural gas source categories, (2) new residential hydronic heaters and forced-air furnaces; and (3) electric utility steam generating units and stationary combustion turbines. The actions also include amendments to existing provisions of five NSPS. Regulation X is not amended as there were no delegable NESHAP actions adopted by the U.S. EPA for the same time period. This action is to adopt the resolution: 1) Determining that the proposed amendments to Regulation IX are exempt from the California Environmental Quality Act; and 2) Amending Proposed Regulation IX – Standards of Performances for New Stationary Sources. (Reviewed: Stationary Source Committee, July 22, 2016)

37. Amend Regulation XX - Regional Clean Air Incentives Market (RECLAIM)

Fine/2239

At the December 4, 2015 meeting, the Board directed staff to further analyze shutdown credits and bring a proposal for the Board's consideration. The proposed amendments to NOx RECLAIM help to prevent facility shutdown RECLAIM Trading Credits (RTCs) from entering the market and delaying the installation of pollution controls at other NOx RECLAIM facilities. Specifically, the proposed amendments establish criteria for determining a facility shutdown, and the methodology to calculate the amount of RTCs that a facility's future holdings will be adjusted upon shutdown. The proposed amendments also include exclusions from these provisions to allow facilities under the same ownership to use shutdown RTCs under certain conditions, as well as provisions that allow for planned non-operation for up to five years for facilities that meet specific criteria. This action is to adopt the resolution: 1) Certifying the Addendum to the December 2015 Final Program Environmental Assessment; and 2) Amending Rule 2002 – Allocations for Oxides of Nitrogen (NOx) and Oxides of Sulfur (SOx). (Reviewed: Stationary Source Committee, July 22 and September 16, 2016)

**PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3)**

**BOARD MEMBER TRAVEL – (No Written Material)**

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

**CONFLICT OF INTEREST DISCLOSURES – (No Written Material)**

Under the approval authority of the Acting Executive Officer, the District will enter into contracts and a Bailment Agreement with the Gladstein, Neandross and Associates (Contract No. 17076) and UC Riverside /CE-CERT (Contract No. 156232) and Bailment Agreement (Contract No. 17060). The contractors are potential sources of income for Governing Board Member Joseph Lyou, which qualify for the remote interest exception of Section 1090 of the California Government Code. Dr. Lyou abstained from any participation in the making of the contracts and Bailment Agreement.

**CLOSED SESSION - (No Written Material)**

Wiese/3460

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- Browning-Ferris Industries of California, Inc. v. South Coast Air Quality Management District, et al., Los Angeles Superior Court Case No. BS163753 (Sunshine Canyon Landfill);
- In the Matter of SCAQMD v. Browning-Ferris Industries of California, Inc. dba Sunshine Canyon Landfill, Hearing Board Case No. 3448-14;
- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS153472 (Phillips 66);
- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- People of the State of California, ex rel SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;
- Exide Technologies, Inc., Petition for Variance, SCAQMD Hearing Board Case No. 3151-31;
- In the Matter of SCAQMD v. Exide Technologies, Inc., SCAQMD Hearing Board Case No. 3151-29 (Order for Abatement);
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement);

- People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- Fast Lane Transportation, Inc. et al. v. City of Los Angeles, et al., Contra Costa County Superior Court Case No. MSN14-0300 (formerly South Coast Air Quality Management District v. City of Los Angeles, et al., Los Angeles Superior Court Case No. BS 143381) (SCIG);
- Refinery Safety Network v. SCAQMD, Hearing Board of SCAQMD; ExxonMobil Oil Corp., Los Angeles Superior Court Case No. BS161815;
- SCAQMD v. City of Moreno Valley, et al., Riverside County Superior Court, Case Nos. RIC 1511213 and RIC 1601988 (World Logistics Center); and
- SCAQMD v. U.S. EPA, D.C. Circuit Court Case No. 15-1115 (RFP for Coachella).

#### CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (two cases):

- Bahr v. EPA, U.S. Court of Appeals, Ninth Circuit, Case No. 14-72327 (Amicus Brief).

#### CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(2) due to significant exposure to litigation (one case).

#### CONFERENCE WITH NEGOTIATORS

It is also necessary to recess to closed session pursuant to Government Code Section 54957.6 to confer regarding upcoming labor negotiations with:

- designated representatives regarding represented employee salaries and benefits or other mandatory subjects within the scope of representation [Negotiator: A. John Olvera; Represented Employees: Teamsters Local 911 and SCAQMD Professional Employees Association];

and to confer with:

- labor negotiators regarding unrepresented employees [Agency Designated Representative: A. John Olvera; Unrepresented Employees: Designated Deputies and Management and Confidential employees].

**\*\*\*PUBLIC COMMENTS\*\*\***

**Members of the public are afforded an opportunity to speak on any listed item before or during consideration of that item. Please notify the Clerk of the Board, (909) 396-2500, if you wish to do so. All agendas are posted at SCAQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the end of the agenda, an opportunity is also provided for the public to speak on any subject within the SCAQMD's authority. Speakers may be limited to three (3) minutes each.**

**Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under Public Comments may not be acted upon at that meeting other than as provided above.**

**Written comments will be accepted by the Board and made part of the record, provided 25 copies are presented to the Clerk of the Board. Electronic submittals to [cob@aqmd.gov](mailto:cob@aqmd.gov) of 10 pages or less including attachment, in MS WORD, plain or HTML format will also be accepted by the Board and made part of the record if received no later than 5:00 p.m., on the Tuesday prior to the Board meeting.**

**ACRONYMS**

AQ-SPEC = Air Quality Sensor Performance  
Evaluation Center

AQIP = Air Quality Investment Program

AQMP = Air Quality Management Plan

AVR = Average Vehicle Ridership

BACT = Best Available Control Technology

Cal/EPA = California Environmental Protection Agency

CARB = California Air Resources Board

CEMS = Continuous Emissions Monitoring Systems

CEC = California Energy Commission

CEQA = California Environmental Quality Act

CE-CERT = College of Engineering-Center for Environmental  
Research and Technology

CNG = Compressed Natural Gas

CO = Carbon Monoxide

CTG = Control Techniques Guideline

DOE = Department of Energy

EV = Electric Vehicle

FY = Fiscal Year

GHG = Greenhouse Gas

HRA = Health Risk Assessment

LEV = Low Emission Vehicle

LNG = Liquefied Natural Gas

MATES = Multiple Air Toxics Exposure Study

MOU = Memorandum of Understanding

MSERCs = Mobile Source Emission Reduction Credits

MSRC = Mobile Source (Air Pollution Reduction) Review  
Committee

NATTS = National Air Toxics Trends Station

NESHAPS = National Emission Standards for  
Hazardous Air Pollutants

NGV = Natural Gas Vehicle

NOx = Oxides of Nitrogen

NSPS = New Source Performance Standards

NSR = New Source Review

OEHA = Office of Environmental Health Hazard  
Assessment

PAMS = Photochemical Assessment Monitoring  
Stations

PAR = Proposed Amended Rule

PEV = Plug-In Electric Vehicle

PHEV = Plug-In Hybrid Electric Vehicle

PM10 = Particulate Matter ≤ 10 microns

PM2.5 = Particulate Matter ≤ 2.5 microns

PR = Proposed Rule

RFP = Request for Proposals

RFQ = Request for Quotations

SCAG = Southern California Association of Governments

SIP = State Implementation Plan

SOx = Oxides of Sulfur

SOON = Surplus Off-Road Opt-In for NOx

SULEV = Super Ultra Low Emission Vehicle

TCM = Transportation Control Measure

ULEV = Ultra Low Emission Vehicle

U.S. EPA = United States Environmental Protection  
Agency

VOC = Volatile Organic Compound

ZEV = Zero Emission Vehicle